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February 25, 2021

Via FOIA Online

National Freedom of Information Officer
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2822T)
Washington, DC 20460
Facsimile: (202) 566-2147

RE: Freedom of Information Act Request for all Records Regarding the Applicability of the *Iowa League of Cities* Decision on CSO Facilities

To Whom This May Concern:

This is a request for public records pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. Section 552, as implemented by the Environmental Protection Agency ("EPA") at 40 C.F.R. Part 2. For purposes of this request, the definition of "records" includes, but is not limited to, documents, letters, memoranda, notes, reports, e-mail messages, policy statements, data, technical evaluations or analysis, and studies.

Request

This request seeks any and all records:

1. Created by the Office of Water, Office of General Counsel, or Office of Enforcement and Compliance Assurance that indicates that the *Iowa League of Cities* decision (711 F.3d 844 (8th Cir. 2013)) does not apply to combined sanitary sewer systems ("CSOs").
2. Communicating the position expressed in item 1 to EPA Regional Offices.
3. That show the Assistant Administrator for Water, the Assistance Administrator for Enforcement, and/or General Counsel concurred on the position expressed in item 1.

Please contact the undersigned if the associated search and duplication costs are anticipated to exceed \$50.00. Please duplicate the records that are responsive to this request and send it to the undersigned at the address above. If the requested record is withheld based upon any asserted privilege, please identify the basis for the non-disclosure.

If you have any questions regarding this request, please do not hesitate to contact this office so as to ensure that only the necessary document is duplicated.

Sincerely,

Erin Thomas
Hall & Associates